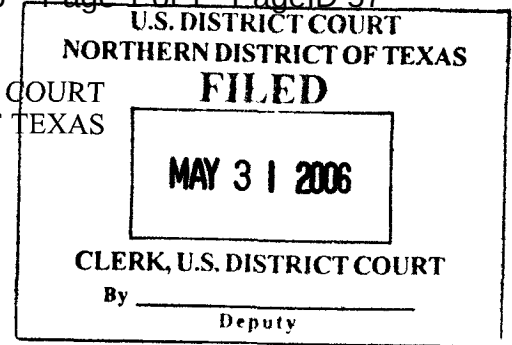


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



JAMES ISHMAEL TIBBS,

Petitioner,

v.

DOUGLAS DRETKE, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

2:06-CV-0100

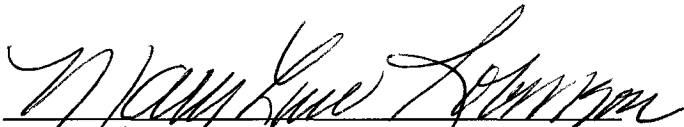
**ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On May 9, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied as petitioner is not eligible for mandatory supervised release. On May 23, 2006, petitioner filed objections to the Report and Recommendation arguing he should be allowed to assert claims of retaliation, cruel and unusual punishment and violations of freedom of speech in this habeas proceeding.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DENIED.

IT IS SO ORDERED.

ENTERED this 31st day of May 2006.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE